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April 25, 2024

VIA ECF FILING

The Honorable Jennifer H. Rearden
United States District Court
Southern District of New York
500 Pearl Street, Room 1010
New York, NY 10007-1312

MEMO ENDORSED

**Re: *Povinelli v. Kroll, LLC*
Case No. 1:24-cv-02066**

Dear Judge Rearden:

This Firm represents Defendant Kroll, LLC (“Kroll”) in this matter (Case No. 1:24-cv-02066 or “Povinelli’s Case”). We write jointly with Plaintiff’s counsel to advise that Kroll filed a related case against Anna Povinelli in this court (Case No. 1:24-cv-01977 or “Kroll’s Case”), pending before Judge Mary Kay Vyskocil.

Pursuant to Federal Rule of Civil Procedure, Rule 42(a) and S.D.N.Y. Local Civil Rule 13, we respectfully request that the Court consolidate these cases because they “concern the same or substantially similar parties, property, transactions or events,” “there is substantial factual overlap,” “the parties could be subjected to conflicting orders,” and “absent a determination of relatedness there would be a substantial duplication of effort and expense, delay, or undue burden on the Court, parties or witnesses.” S.D.N.Y. L.R. 13(a)(1).

Briefly, Kroll’s Case centers on Povinelli’s alleged misappropriation of Kroll’s proprietary and confidential information, which lead to the termination of her employment with Kroll. Povinelli’s Case asserts Kroll discriminated against Ms. Povinelli based upon her gender, subjected her to sexual harassment and terminated her for pretextual reasons in retaliation for objecting to the harassment and discrimination in violation of New York State Human Rights Law (“NYSHRL”) and New York City Human Rights Law (“NYSHRL”).

Kroll’s and Povinelli’s claims and defenses against the other in each case are factually intertwined. Proceeding with these cases separately will not only result in “a substantial duplication of effort and expense,” but could lead to conflicting outcomes on certain factual and

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legal issues. S.D.N.Y. L.R. 13(a)(1). As such, the parties respectfully request that Kroll's Case and Povinelli's Case be consolidated.

Thank you for Your Honor's attention to this matter.

Respectfully submitted,

By: /s/ Robert Bernstein

Robert H. Bernstein

(*pro hac vice*)

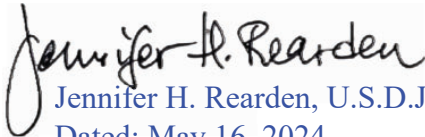
Michael J. Slocum

GREENBERG TRAURIG, LLP

Attorneys for Defendant Kroll, LLC

cc: All counsel of record (via ECF)

In light of Judge Vyskocil's decision on the parties' parallel joint request in *Kroll, LLC v. Povinelli*, No. 24 Civ. 1977, *see* ECF No. 21, the instant application is denied as moot. The Clerk of Court is directed to terminate ECF No. 15. SO ORDERED.

A handwritten signature in black ink, reading "Jennifer H. Rearden". The signature is fluid and cursive, with the first name being the most prominent.

Jennifer H. Rearden, U.S.D.J.

Dated: May 16, 2024